

PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

REC'D 26 JAN 2006

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Applicant's or agent's file reference WO 39319	FOR FURTHER ACTION		See Notification of Transmittal of International Preliminary Examination Report (Form PCT/PEA/416)
International application No. PCT/EP2003/011599	International filing date (day/month/year) 20.10.2003	Priority date (day/month/year) 20.10.2003	
International Patent Classification (IPC) or both national classification and IPC F02B37/16			
Applicant HONEYWELL INTERNATIONAL INC.			

1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.
2. This REPORT consists of a total of 4 sheets, including this cover sheet.
 - ☒ This report is also accompanied by ANNEXES, i.e. sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).

These annexes consist of a total of 1 sheets.

3. This report contains indications relating to the following items:

- I ☒ Basis of the opinion
- II ☐ Priority
- III ☐ Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- IV ☐ Lack of unity of invention
- V ☒ Reasoned statement under Rule 66.2(a)(ii) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- VI ☐ Certain documents cited
- VII ☐ Certain defects in the international application
- VIII ☐ Certain observations on the international application

Date of submission of the demand 15.06.2005	Date of completion of this report 27.01.2006
Name and mailing address of the international preliminary examining authority:  European Patent Office - P.B. 5818 Patentlaan 2 NL-2280 HV Rijswijk - Pays Bas Tel. +31 70 340 - 2040 Tx: 31 651 epo nl Fax: +31 70 340 - 3016	Authorized Officer Sideris, M Telephone No. +31 70 340-3406



INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No. PCT/EP2003/011599

I. Basis of the report

1. With regard to the **elements** of the international application (*Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report since they do not contain amendments (Rules 70.16 and 70.17)*):

Description, Pages

1-4 as originally filed

Claims, Numbers

1 received on 18.11.2005 with letter of 18.11.2005

Drawings, Sheets

1/2, 2/2 as originally filed

2. With regard to the **language**, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.

These elements were available or furnished to this Authority in the following language: , which is:

- ☐ the language of a translation furnished for the purposes of the international search (under Rule 23.1(b)).
 - ☐ the language of publication of the international application (under Rule 48.3(b)).
 - ☐ the language of a translation furnished for the purposes of international preliminary examination (under Rule 55.2 and/or 55.3).
3. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:
- ☐ contained in the international application in written form.
 - ☐ filed together with the international application in computer readable form.
 - ☐ furnished subsequently to this Authority in written form.
 - ☐ furnished subsequently to this Authority in computer readable form.
 - ☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
 - ☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

4. The amendments have resulted in the cancellation of:

- ☐ the description, pages:
- ☐ the claims, Nos.:
- ☐ the drawings, sheets:

**INTERNATIONAL PRELIMINARY
EXAMINATION REPORT**

International application No. **PCT/EP2003/011599**

5. ☐ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed (Rule 70.2(c)).
(Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report.)

6. Additional observations, if necessary:

V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Yes: Claims	
	No: Claims	1
Inventive step (IS)	Yes: Claims	
	No: Claims	1
Industrial applicability (IA)	Yes: Claims	1
	No: Claims	

2. Citations and explanations

see separate sheet

Re Item V

Reasoned statement with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Reference is made to the following document:
D1: GB 216 136 (British Thomson-Houston)
2. The present application does not meet the criteria of Article 33(1) PCT, because the subject-matter of claim 1 is not new in the sense of Article 33(2) PCT.

The document D1 discloses (cf. fig. 2 - the references in parentheses applying to this document):

An adjustable valve comprising a valve member (51, 47, 45, 46, 44) for controlling the fluid flow through the valve and a coil spring (52) acting on said valve member and being supported on an adjustable retainer (53, 55) threaded into said spring (52), wherein the spring is threaded on the retainer (53, 55) by means of a portion (lower portion of (53)) of a reduced diameter so as to adjust a calibrating pre-tension of the spring acting on said valve member (51, 47, 45, 46, 44) and wherein the spring (52) is also threaded on the valve member (51, 47, 45, 46, 44).

The retainer is considered to be consisted of two members (53, 55) co-operating each other.

Even if we consider that the retainer consists only of piece (53), the subject matter of claim 1 is still not new since this retainer is adjustable (by means of sleeve (55)) exactly in the same way as disclosed in the wording of claim 1.

The feature "the spring is threaded on the retainer which serves as a coupling member for adjusting the axial position of the spring in relation to said retainer" is implicitly disclosed in document D1.

The retainer (53) of document D1 also serves as a coupling member. By screwing the spring (52) on the complete threaded portion of the retainer (53) or on part of the threaded part of the retainer (53) results in a different pre-tensioning of the spring, in a way similar to the one disclosed in D1. The number of threads of the retainer used for screwing the spring play the role of the adjusting device on the coupling member.

New Claim 1*(fair copy)*

1. An adjustable valve comprising a piston member for regulating the fluid flow through the valve, wherein said valve comprises a coil spring supported on an adjustable retainer threaded into said spring,

characterized in that

the spring is threaded on the retainer by means of a portion of a reduced diameter which serves as a coupling member for adjusting the axial position of the spring in relation to said retainer (7), so that the calibrating pre-tension of the spring is adjustable without thereby influencing the acting length of the spring.